

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CONNECTU LLC

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO
SAVERIN, DUSTIN MOSKOVITZ, ANDREW
MCCOLLUM, CHRISTOPHER HUGHES, and
THEFACEBOOK, INC.,

Defendants.

MARK ZUCKERBERG, and THEFACEBOOK,
INC.,
Counterclaimants,

v.

CONNECTU LLC,
Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER
WINKLEVOSS, and DIVYA NARENDRA,
Additional Defendants on Counterclaims.

Civil Action No. 1:04-CV-11923 (DPW)

District Judge Douglas P. Woodlock

**DECLARATION OF JOSHUA H. WALKER IN SUPPORT OF DEFENDANTS' JOINT
MOTION TO COMPEL TESTIMONY FROM CONNECTU LLC RESPONSIVE TO
DEFENDANT'S AMENDED 30(b)(6) NOTICE**

I, JOSHUA H. WALKER, declare as follows:

1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP, counsel for Defendants Mark Zuckerberg, Dustin Moskovitz, Andrew McCollum, Christopher Hughes, and TheFacebook, Inc. (collectively, the "Facebook Defendants"). I make this Declaration in support of Defendants' Joint Motion to Compel Testimony from ConnectU LLC Responsive to Defendants' Amended 30(b)(6) Notice. I am an active member in good standing of the Bar of the States of California, and am admitted to appear *pro hac vice* before this court. I have personal knowledge of the facts stated therein and if called as a witness, could and would competently testify thereto.

2. Attached hereto as **Exhibit 1** is a true and correct copy of Defendants' Amended Notice of Deposition of Plaintiff and Counterdefendant ConnectU. Pursuant to Federal Rule of Civil Procedure 30(b)(6).

3. Attached hereto as **Exhibit 2** is a true and correct copy of ConnectU's Objections to Amended Notice of Deposition of Plaintiff and Counterclaim Defendant ConnectU LLC Pursuant to Fed. R. Civ. P. 30(b)(6).

4. Attached hereto as **Exhibit 3** is a true and correct copy of a letter from Robert Hawk and Monte M.F. Cooper to John Hornick, dated September 12, 2005.

5. Attached hereto as **Exhibit 4** is a true and correct copy of a letter from Joshua Walker to John F. Hornick, dated September 23, 2005.

6. Attached hereto as **Exhibit 5** is a true and correct copy of an email from John Hornick to Joshua Walker, dated September 26, 2005.

7. Attached here to as **Exhibit 6** is a true and correct copy of an email from Joshua Walker to John Hornick, dated September 26, 2005.

8. Attached hereto as **Exhibit 7** is a true and correct copy of an listing of selected portions of deposition transcript from the August 9, 2005 deposition of ConnectU LLC (designee Cameron Winklevoss).

9. Attached hereto as **Exhibit 8** is a true and correct copy of a letter from Joshua H. Walker to John F. Hornick, dated August 3, 2005.

10. Attached hereto as **Exhibit 9** is a true and correct copy of the Second Stipulated Protective Order, dated July 6, 2005.

11. Attached hereto as **Exhibit 10** is a true and correct copy of the deposition transcript from the August 9, 2005 deposition of ConnectU LLC (designee Cameron Winklevoss) with portions designated confidential redacted.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This Declaration is executed on this 3rd day of October 2005, at Menlo Park, California.

/s/ Joshua H. Walker /s/
Joshua H. Walker